

1253WOORD01

1/9

**PCT REQUEST**

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<b>0</b>	<b>For receiving Office use only</b>	
<b>0-1</b>	International Application No.	
<b>0-2</b>	International Filing Date	
<b>0-3</b>	Name of receiving Office and "PCT International Application"	
<b>0-4</b>	<b>Form - PCT/RO/101 PCT Request</b>	
<b>0-4-1</b>	Prepared Using	<b>PCT Online Filing Version 3.50 (Build 0001.162)</b>
<b>0-5</b>	<b>Petition</b>  The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
<b>0-6</b>	<b>Receiving Office (specified by the applicant)</b>	<b>European Patent Office (EPO) (RO/EP)</b>
<b>0-7</b>	<b>Applicant's or agent's file reference</b>	<b>1253WOORD01</b>
<b>I</b>	<b>Title of Invention</b>	<b>NOVEL THIO CONTAINING-HYDROXY-6-PHENYLPHENANTHRIDINES</b>
<b>II</b>	<b>Applicant</b>	
<b>II-1</b>	This person is:	<b>applicant only</b>
<b>II-2</b>	Applicant for	<b>all designated States except US</b>
<b>II-4</b>	Name:	<b>ALTANA PHARMA AG</b>
<b>II-5</b>	Address:	<b>Byk-Gulden-Str. 2 78467 Konstanz Germany</b>
<b>II-6</b>	State of nationality	<b>DE</b>
<b>II-7</b>	State of residence	<b>DE</b>
<b>II-8</b>	Telephone No.	<b>+49- (0) 7531-84-5365</b>
<b>II-9</b>	Facsimile No.	<b>+49- (0) 7531-84-5321</b>
<b>II-10</b>	e-mail	<b>DEKON.IPPA-DE@altanapharma.com</b>

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<b>III-1</b>	<b>Applicant and/or inventor</b>	
III-1-1	This person is:	<b>applicant and inventor</b>
III-1-2	Applicant for	<b>US only</b>
III-1-3	Inventor for	<b>AP: (BW GH GM KE LS MW MZ SD SL SZ TZ UG ZM ZW); EA: (AM AZ BY KG KZ MD RU TJ TM); EP: (AT BE BG CH&amp;LI CY CZ DE DK EE ES FI FR GB GR HU IE IS IT LT LU MC NL PL PT RO SE SI SK TR); OA: (BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG); AE AG AL AM AT AU AZ BA BB BG BR BW BY BZ CA CH&amp;LI CN CO CR CU CZ DE DK DM DZ EC EE EG ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP KR KZ LC LK LR LS LT LU LV MA MD MG MK MN MW MX MZ NA NI NO NZ OM PG PH PL PT RO RU SC SD SE SG SK SL SY TJ TM TN TR TT TZ UA UG US UZ VC VN YU ZA ZM ZW</b>
III-1-4	Name (LAST, First)	<b>KAUTZ, Ulrich</b>
III-1-5	Address:	<b>Prof.-Schmider-Str. 12 78476 Allensbach Germany</b>
III-1-6	State of nationality	<b>DE</b>
III-1-7	State of residence	<b>DE</b>
<b>III-2</b>	<b>Applicant and/or inventor</b>	
III-2-1	This person is:	<b>inventor only</b>
III-2-4	Name (LAST, First)	<b>SCHMIDT, Beate</b>
III-2-5	Address:	<b>Allensbacher Str. 5 78476 Allensbach Germany</b>
<b>III-3</b>	<b>Applicant and/or inventor</b>	
III-3-1	This person is:	<b>inventor only</b>
III-3-4	Name (LAST, First)	<b>FLOCKERZI, Dieter</b>
III-3-5	Address:	<b>Ackerweg 26 78476 Allensbach Germany</b>
<b>III-4</b>	<b>Applicant and/or inventor</b>	
III-4-1	This person is:	<b>inventor only</b>
III-4-4	Name (LAST, First)	<b>HATZELMANN, Armin</b>
III-4-5	Address:	<b>Alter Wall 3 78467 Konstanz Germany</b>

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<b>III-5</b>	<b>Applicant and/or inventor</b>	
III-5-1	This person is:	<b>inventor only</b>
III-5-4	Name (LAST, First)	<b>ZITT, Christof</b>
III-5-5	Address:	<b>Mainaustr. 209 D 78464 Konstanz Germany</b>
<b>III-6</b>	<b>Applicant and/or inventor</b>	
III-6-1	This person is:	<b>inventor only</b>
III-6-4	Name (LAST, First)	<b>BARSIG, Johannes</b>
III-6-5	Address:	<b>Bleichenweg 11 78467 Konstanz Germany</b>
<b>III-7</b>	<b>Applicant and/or inventor</b>	
III-7-1	This person is:	<b>inventor only</b>
III-7-4	Name (LAST, First)	<b>MARX, Degenhard</b>
III-7-5	Address:	<b>Obere Reute 15 78345 Moos Germany</b>
<b>III-8</b>	<b>Applicant and/or inventor</b>	
III-8-1	This person is:	<b>inventor only</b>
III-8-4	Name (LAST, First)	<b>KLEY, Hans-Peter</b>
III-8-5	Address:	<b>Im Weinberg 3b 78476 Allensbach Germany</b>
<b>IV-1</b>	<b>Agent or common representative; or address for correspondence</b>	
	The person identified below is hereby/ has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	<b>agent</b>
IV-1-1	Name (LAST, First)	<b>WILD, Robert</b>
IV-1-2	Address:	<b>c/o ALTANA Pharma AG, Byk-Gulden-Str. 2 78467 Konstanz Germany</b>
IV-1-3	Telephone No.	<b>+49 (0) 7531-84-5338</b>
IV-1-4	Facsimile No.	<b>+49 (0) 7531-84-5321</b>
IV-1-5	e-mail	<b>DEKON.IPPA-DE@altanapharma.com</b>
IV-1-6	Agent's registration No.	<b>099982.1</b>
<b>IV-2</b>	<b>Additional agent(s)</b>	<b>additional agent(s) with same address as first named agent</b>
IV-2-1	Name(s)	<b>KRATZER,Bernd(0955419); WOLF,Ulrich; RUPP,Herbert(00052372.0); MECHNICH,Oliver(0099430);</b>

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		<b>KROEGER, Bernd (0081260)</b>
<b>V</b>	<b>DESIGNATIONS</b>	
<b>V-1</b>	The filing of this request constitutes under Rule 4.9(a), the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.	
<b>VI-1</b>	<b>Priority claim of earlier regional application</b>	
VI-1-1	Filing date	10 March 2004 (10.03.2004)
VI-1-2	Number	04100988.7
VI-1-3	Regional Office	EP
<b>VI-2</b>	<b>Priority claim of earlier regional application</b>	
VI-2-1	Filing date	01 February 2005 (01.02.2005)
VI-2-2	Number	05100692.2
VI-2-3	Regional Office	EP
<b>VI-3</b>	<b>Priority document request</b>  The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s):	VI-1, VI-2
<b>VII-1</b>	<b>International Searching Authority Chosen</b>	<b>European Patent Office (EPO) (ISA/EP)</b>
<b>VII-2</b>	<b>Request to use results of earlier search; reference to that search</b>	
VII-2-1	Date	19 May 2004 (19.05.2004)
VII-2-2	Number	04100988.7
VII-2-3	Country (or regional Office)	EP
<b>VIII</b>	<b>Declarations</b>	Number of declarations
VIII-1	Declaration as to the identity of the inventor	-
VIII-2	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	1
VIII-3	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	-
VIII-4	Declaration of inventorship (only for the purposes of the designation of the United States of America)	1
VIII-5	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	-

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VIII-2-1	<b>Declaration: Entitlement to apply for and be granted a patent</b> Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate: Name (LAST, First)	<b>in relation to this international application</b>  <b>ALTANA PHARMA AG is entitled to apply for and be granted a patent by virtue of the following:</b>
VIII-2-1(i) i)		<b>ALTANA PHARMA AG is entitled as employer of the inventor, SCHMIDT, Beate</b>
VIII-2-1(i) i)		<b>ALTANA PHARMA AG is entitled as employer of the inventor, FLOCKERZI, Dieter</b>
VIII-2-1(i) i)		<b>ALTANA PHARMA AG is entitled as employer of the inventor, HATZELMANN, Armin</b>
VIII-2-1(i) i)		<b>ALTANA PHARMA AG is entitled as employer of the inventor, ZITT, Christof</b>
VIII-2-1(i) i)		<b>ALTANA PHARMA AG is entitled as employer of the inventor, BARSIG, Johannes</b>
VIII-2-1(i) i)		<b>ALTANA PHARMA AG is entitled as employer of the inventor, MARX, Degenhard</b>
VIII-2-1(i) i)		<b>ALTANA PHARMA AG is entitled as employer of the inventor, KLEY, Hans-Peter</b>
VIII-2-1(i) i)		<b>ALTANA PHARMA AG is entitled as employer of the inventor, KAUTZ, Ulrich</b>
VIII-2-1(i) x)	This declaration is made for the purposes of:	<b>all designations except the designation of the United States of America</b>

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VIII-4-1	<p><b>Declaration: Inventorship (only for the purposes of the designation of the United States of America)</b>            Declaration of Inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America:</p>	<p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to the international application of which it forms a part (if filing declaration with application).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications", by application number, country or Member of the World Trade Organization, day, month, and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p>
VIII-4-1-1	Prior applications:	

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		<p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>
VIII-4-1- 1-1	Name (LAST, First)	KAUTZ, Ulrich
VIII-4-1- 1-2	Residence: (city and either US State, if applicable, or country)	Allensbach, Germany
VIII-4-1- 1-3	Mailing address:	Prof.-Schmider-Str. 12 D-78476 Allensbach Germany
VIII-4-1- 1-4	Citizenship:	DE
VIII-4-1- 1-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	/Ulrich KAUTZ/
VIII-4-1- 1-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	04 March 2005 (04.03.2005)

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<b>IX</b>	<b>Check list</b>	<b>number of sheets</b>	<b>electronic file(s) attached</b>
IX-1	Request (including declaration sheets)	8	✓
IX-2	Description	59	✓
IX-3	Claims	10	✓
IX-4	Abstract	1	✓
IX-5	Drawings	0	✓
IX-7	<b>TOTAL</b>	<b>78</b>	
	<b>Accompanying Items</b>	<b>paper document(s) attached</b>	<b>electronic file(s) attached</b>
IX-8	Fee calculation sheet	-	✓
IX-11	Copy of general power of attorney	-	<b>reference no.</b> <b>026160.2</b>
IX-17	PCT-SAFE physical media	-	-
IX-19	<b>Figure of the drawings which should accompany the abstract</b>		
IX-20	<b>Language of filing of the international application</b>	<b>English</b>	
X-1	Signature of applicant, agent or common representative	/Ulrich KAUTZ/	
X-1-1	Name (LAST, First)	KAUTZ, Ulrich	
X-1-2	Name of signatory		
X-1-3	Capacity		
X-2	Signature of applicant, agent or common representative	(PKCS7 Digital Signature)	
X-2-1	Name (LAST, First)	WILD, Robert	
X-2-2	Name of signatory		
X-2-3	Capacity		

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**FOR RECEIVING OFFICE USE ONLY**

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/EP
10-6	Transmittal of search copy delayed until search fee is paid	

**FOR INTERNATIONAL BUREAU USE ONLY**

11-1	Date of receipt of the record copy by the International Bureau	
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**PCT (ANNEX - FEE CALCULATION SHEET)**

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<b>0</b>	<b>For receiving Office use only</b>		
0-1	International Application No.		
0-2	Date stamp of the receiving Office		
<b>0-4</b>	<b>Form PCT/RO/101 (Annex) PCT Fee Calculation Sheet</b>		
0-4-1	Prepared Using	<b>PCT Online Filing Version 3.50 (Build 0001.162)</b>	
<b>0-9</b>	<b>Applicant's or agent's file reference</b>	<b>1253WOORD01</b>	
<b>2</b>	<b>Applicant</b>	<b>ALTANA PHARMA AG</b>	
<b>12</b>	<b>Calculation of prescribed fees</b>	fee amount/multiplier	Total amounts (EUR)
12-1	Transmittal fee	T	100
12-2-1	Search fee	S	1550
12-2-2	International search to be carried out by	EP	
12-3	International filing fee (first 30 sheets)	i1	902
12-4	Remaining sheets		48
12-5	Additional amount	(X)	10
12-6	Total additional amount	i2	480
12-7	i1 + i2 =	i	1382
12-12	Electronic Filing reduction (Full)	R	-129
12-13	Total International filing fee (i-R)	I	1253
12-14	Fee for priority document  Number of priority documents requested	2	
12-15	Fee per document (X)	30	
12-16	Total priority document fee:	P	60
<b>12-17</b>	<b>TOTAL FEES PAYABLE (T+S+I+P)</b>		<b>2963</b>
<b>12-19</b>	<b>Mode of payment</b>	<b>authorization to charge deposit account</b>	
<b>12-20</b>	<b>Deposit account instructions</b>		
	The receiving Office	<b>European Patent Office (EPO) (RO/EP)</b>	
12-20-1	Authorization to charge the total fees indicated above.	✓	
12-20-2	Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	✓	
12-20-3	Authorization to charge the fee for priority document.	✓	
12-21	Deposit account No.	28000022	
12-22	Date	09 March 2005 (09.03.2005)	
12-23	Name and signature	ALTANA PHARMA AG,  /Robert WILD/	

**PCT (ANNEX - FEE CALCULATION SHEET)**

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**REMARKS**

13-1-1	<b>Applicant Remarks</b>	<p>It seems to me that the Print out (Original in electronic form) does not reflect the data that have been entered into PCT online Filing Software Version 3.50 (Build 0001.162). The following was intended: KAUTZ, Ulrich is applicant and inventor. He is applicant for US only and inventor for all designated states. SCHMIDT, Beate; FLOCKERZI, Dieter; HATZELMANN, Armin; ZITT, Christof; BARSIG, Johannes; MARX, Degenhard; KLEY, Hans-Peter are inventors only. They are inventors for all designated states with the exception of US, CA and PH.</p>
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